In the Supreme Court of the United States

OCTOBER TERM, 1936

No. 469

WASHINGTON, VIRGINIA & MARYLAND COACH COMPANY, PETITIONER

v.

NATIONAL LABOR RELATIONS BOARD

ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES CIRCUIT COURT OF APPEALS FOR THE FOURTH CIRCUIT

MEMORANDUM FOR THE NATIONAL LABOR RELATIONS BOARD

The Solicitor General, on behalf of respondent, National Labor Relations Board, joins in the petition upon the ground that the constitutionality of the National Labor Relations Act as applied to the petitioner is an important question of Federal law, which has not been but should be settled by this Court. A decision on the issues raised in the instant case will determine the validity of the Act as applied to employers admittedly engaged in interstate transportation and settle certain important questions frequently raised under Article III and

the Fifth and Seventh Amendments to the Constitution.

The Court is respectfully referred to pages 2 to 10 of the Government's memorandum joining in the petition for certiorari in *Associated Press* v. *National Labor Relations Board,* No. 365, present term, for a statement of the Government's position on the principal contentions advanced in the petition herein.

Wherefore, it is respectfully submitted that this petition for a writ of certiorari should be granted.

STANLEY REED,
Solicitor General.

CHARLES FAHY,
General Counsel,
National Labor Relations Board.

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